

2151 #2 10-25-01 Patent

258/278

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re the Application of:  | ) Group Art Unit: 2151   |
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| Gary E. Sullivan, et al.   | ) Examiner: Uanssigned   |
| Serial No.: 09/874,630   | , —  |
| Filed: June 4, 2001  | RECEIVED  SEP 1 4 2001  Technology a   |
| For: SYSTEM AND METHOD FOR LEVERAGING NETWORKED COMPUTERS TO VIEW WINDOWS BASED FILES ON LINUX PLATFORMS   | Technology Center 2100   |
| INFORMATION DISCL  | OSURE STATEMENT  |
| Commissioner for Patents Washington, D.C. 20231  |  |
| Sir:   |  |
| In accordance with 37 CFR §§ 1.97 and 1.98, Statement ("IDS") are brought to the attention of the PTO-1449 and copies are enclosed for the convenient  | ·  |
| The items identified in this IDS may or may n submission thereof by Applicant is not to be construed or other information referred to therein is material or even qualifies as "prior art" under 35 USC § 102 with | considered to be material (37 CFR § 1.97(h)), or                             |
| designated by Applicant as such.   | ,  |
|  |  |
| OC-91150.1   |  |
| CERTIFICATE (<br>(37 C.F.R   |  |
| I hereby certify that this paper (along with any referred to as being attached o date shown below with sufficient postage as First Class Mail in an envelope a   | or enclosed) is being deposited with the United States Postal Service on the |
| September 05, 2001   | Name of Person Mailing Paper   |
| Date of Deposit  | Signature of Person Mailing Paper0   |

## Information Disclosure Statement Filing Provision:

| $\boxtimes$      |             | S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1)  |
|------------------|-------------|---|
|                  |             | onths of the filing date of the application, which is not a continued prosecution application   |
|                  | ·           | 53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § after the mailing of a first Office action on the merits; or (4) before the mailing of a first  |
| •                | ` '         | fter filing a request for continued examination under § 1.114. Thus, no fee is required.  |
|                  | $\boxtimes$ | However, if the undersigned is in error in this regard, Applicant respectfully requests   |
|                  |             | that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.   |
|                  |             | However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.  |
| on the 1 § 1.311 | merits, b   | S is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action out before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR  |
| 3                |             | The fee due under 37 CFR § 1.17(p) is submitted herewith.   |
|                  |             | A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below. |
|                  | This ID     | S is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR  |
| •                |             | otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A   |
|                  |             | r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted   |
| herewit          | th.         | STATEMENT UNDER 37 CFR § 1.97(e):   |
|                  | Each ite    | em contained in this IDS was first cited in any communication from a foreign patent office  |
| in a cou         |             | t foreign application not more than three months prior to the filing of this IDS.   |
| П                | •           | a contained in this IDS was cited in a communication from a foreign patent office in a  |
| counter          |             | eign application, and, to the knowledge of the person signing this statement after making   |
|                  | -           | airy, no item of information contained in this IDS was known to any individual designated   |
|                  | •           | 56(c) more than three months prior to the filing of this IDS.   |
|                  | -           |   |

|       | PAYMENT AND/O                        | R AUTHORIZATION TO CHARGE FEES:                               |
|-------|--------------------------------------|---|
|       | A check in the amount of is          | enclosed for the above fee(s).                                |
|       | Please charge to Deposit Ac          | ecount No. 50-0439 for the above fee(s).                      |
| The C | Commissioner is authorized to charge | any fees required by the filing of these papers, and to credi |
| any o | overpayment to Lyon & Lyon's Depos   | sit Account No. 50-0439.                                      |
|       |                                      | Respectfully submitted,<br>LYON & LYON LLP                    |
| Dated | d: <u>09/05/2001</u>                 | By: Eugme R Worly,  |
|       | •                                    | Eugene R. Worley  |
|       | •                                    | Reg. No. 47.186   |

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LYON & LYON LLP 633 W. Fifth Street, Suite 4700 Los Angeles, CA 90071

## **FORM PTO-1449** ATTY. DOCK I NO. SERIAL NO. 258/278 09/874,630 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S APPLICANT: INFORMATION DISCLOSURE STATEMENT Gåry E. Sullivan, et al. FILING DATE: **GROUP:** (Use several sheets if necessary)

June 4, 2001

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|      | _L | <br>4817 | $\rightarrow$ |     |

| 2          | " (") " |                 | U.S. F   | PATENT DOCUMENTS       |       |              |                |
|------------|---------|-----------------|----------|------------------------|-------|--------------|----------------|
| EXAMINER A |         | DOCUMENT NUMBER | DATE     | NAME                   | CLASS | SUB<br>CLASS | FILING<br>DATE |
|            | AA      | 5,949,977       | 09/07/99 | Hernandez, E. Norman   |       |              |                |
|            | AB      | 6,038,625       | 03/14/00 | Ogino, et al., Hiroshi |       |              |                |
|            | AC      | 6,128,647       | 10/03/00 | Haury, Harry H.        |       |              |                |
|            | AD      |                 |          |                        |       | REC          | CEIVED         |
|            | AE      |                 |          |                        |       | SEP          | 1 4 2001       |
|            | AF      |                 |          |                        |       | Technolo     | gy Center 2100 |
|            | AG      | ·               |          |                        |       |              |                |
|            | AH      |                 |          |                        |       |              |                |

|                     | •  |                 | FOREIGN | PATENT DOCUMENTS                          |       |              |              |              |
|---------------------|----|-----------------|---------|---|-------|--------------|--------------|--------------|
| EXAMINER<br>INITIAL |    | DOCUMENT NUMBER | DATE    | COUNTRY                                   | CLASS | SUB<br>CLASS | TRANS<br>YES | LATION<br>NO |
| ·                   | AI |                 |         |   |       |              |              |              |
| <del> </del>        | AJ |                 |         | W. M. |       |              |              |              |
| -                   | AK |                 |         |   |       |              |              |              |

|    | OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)                             |
|----|--|
| AL | Railsback, Kevin, Vmware Runs Windows Under Linix, InfoWorld, Vol. 21, No. 23, page 43, 06/07/1999 |
| AM | Huff, Matthew, Lnux and NT, UNIX Review's Performance Computing, Vol. 17, No. 3, page 80, 99/03/00 |
| AN | VM Ware, Inc., Vmware Virtual Machine Technology, September 2000                                   |
| AO | Tun Plus, 4 page Brochure re Tun Plus v11, Smarterm, Undated                                       |
| AP | VM Ware, re Windows with Linux, ©2000  |

| OC-91147.1           | DATE CONSIDERED:  |
|----------------------|-------------------|
| EXAMINER: Unassigned | JANE CONTRIBUTION |

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant